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0001/PTO U.S. Department of Commerce Page 10/95 Patent and Trademark Office			Application Number		09/955,663		
			Filing Date		September 19, 2001		
TRANS	MITTAL FOR	M	First Named Inventor		Rocke et al.		
(to be used for all correspondence during pendency of filed application)		Group Art Unit Number		1631			
				er Name	Cheyne D. Ly		
Total Number of Pag	Total Number of Pages in This Submission 11		Attorne	Docket Number	23540-074 (UC Ref. 2	45US 001-072-2)	
	FNC!	OSURES	(chec	k all that apply	/)		
Fee Transmittal Form (in duplicate)  Check Enclosed			Issue Fee Transmittal Letter to Chief Draftsperson Formal Drawing(s):  [] Sheet(s) of Figure(s) [] Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Certified Copy of Priority Document(s) After Allowance Communication to Group				
REMARKS:							
	1		ATTOR	NEY OR AGE	<u> </u>		
Signature: $\int \mathcal{H} \mathcal{W} \mathcal{U}$				<del></del>	<del></del> -		
Attorney/Reg. No.: Susan T. Hubl, Ph.D. Patent Agent/			47,668		Dated:	July 5, 2005	
first class mail in an env the date shown below	correspondence, including t	he enclosures	identified a	MAILING bove, is being deposi oner for Patents P.O.	ted with the Unite Box 1450 Alexand	d States Postal Service as dria, VA 22313-1450 on	
Signature:	1 1 Hr	/h/					

Susan T. Hubi, Ph.D.

Typed or Printed Name:

Dated:

July 5, 2005



## FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$) 60.00

Complete if Known					
Application Number 09/955,663					
Filing Date	September 19, 2001				
First Named Inventor	Rocke et al.				
Examiner Name	Cheyne D. Ly				
Art Unit	1631				
Attorney Docket No.	23540-07445US (UC Ref. 2001-072-2)				

METHOD OF PAYMENT (check all that apply)			FEE CALCULATION (continued)						
☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None     ☐ Deposit Account:		3. ADDITIONAL FEES							
Deposit Account Number	19-2555	<u>Large l</u>	Entity	Small	Entity	Fee Description	Fee Paid		
Deposit Account Name	Fenwick & West LLP	Fee Code	Fee (\$)	Fee Code	Fee (\$)				
The Commissioner is authorized to: (check all that apply)		1051	130	2051	65	Surcharge - late filing fee or oath or declaration			
☐ Charge fee(s) indicated	below 🛛 Credit any overpayments	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet			
Charge all required fee(s) or any underpayment of fee(s) due		1053	130	1053	130	Non-English specification			
under 37 CFR §1.16 or application	§1.17 during the pendency of this	1812	2,520	1812	2,520	For filing a request for ex parte reexamination			
Charge fee(s) indicated below, except for the filing fee to		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action			
the above-identified deposit account.			1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	<u></u>		
FEE C	ALCULATION	1251	120	2251	60	Extension for reply within first month	60		
1. BASIC FILING FEE		1252	450	2252	225	Extension for reply within second month			
Large Entity Small Entity		1253	1020	2253	510	Extension for reply within third month			
Fee Fee Fee	Fee Description Fee Paid	1254	1,590	2254	795	Extension for reply within fourth month	<u> </u>		
Code (\$) Code (\$)	F	1255	2,160 500	2255 2401	1,080 250	Extension for reply within fifth month			
	Filing Fee	1401 1402	500	2401	250 250	Notice of Appeal Filing a brief in support of an appeal	<b></b>		
		1403	1000	2403	500	Request for oral hearing			
		1451	1,510		1,510	Petition to institute a public use proceeding			
		1452	500	2452	250	Petition to revive - unavoidable			
SUBTO	TAL (1) (\$) .4	1453	1,500	2453	750	Petition to revive - unintentional			
2. EXTRA CLAIM FEES	FOR UTILITY AND REISSUE	1501	1,400	2501	700	Utility issue fee (or reissue)			
Ex	tra Claims Fee from Fee Paid	1502	800	2502	400	Design issue fee			
Total Claims 11 -20**=		1503	1100	2503	550	Plant issue fee			
Independent Claims	0 × =	1460		1460	_	Petitions to the Director			
Multiple Dependent	=	1807	50	1807	50	Processing fee for Provisional Applications			
Large Entity Small Entity		1806	180	1806	180	Submission of Information Disclosure Stmt			
Fee Fee Code (\$)	Fee Description	8021	40	8021	40	Recording each patent assignment per property (times number of properties)			
1202 50 2202 25	Claims in excess of 20	1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))			
1201 200 2201 100	Independent claims in excess of 3	1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))			
1203 360 2203 180	Multiple dependent claim, if not paid	1801	790	2801	395	Request for Continued Examination (RCE)			
1204 200 2204 100	**Reissue independent claims over original patent	1802	900	1802	900	Request for expedited examination of a design application			
1205 50 2205 25 **Reissue claims in excess of 20 and over original patent		Other f	fee (specif	y)					
						(6) 60 0	<u> </u>		
**or number previously paid, if greater; For Reissues, see above			ad by Do-1	- Elline T	'oo Daid	SUBTOTAL (3) (\$) 60.00	J		
"or number previously paid, if	greater; For Reissues, see above	Reduc	ed by Basi	c ruing F	ee Paid				

SUBMITTED BY	JBMITTED BY Complete (if applicable)					
Name (Print/Type)	Susan T. Hubl, Ph.D.	Registration No. (Attorney/Agent)			Telephone (415) 875-2316	
Signature	1 Hubl			Date	July 5, 2005	

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S):	David M. Rocke						
APPLICATION NO.:	09/955,663						
FILING DATE:	September 19, 2001						
TITLE:	Method for Determining Measurement Error for Nucleic Acid Microarrays						
EXAMINER:	Cheyne D. Ly						
GROUP ART UNIT:	1631						
ATTY. DKT. NO.: 23540-07445US (UC Ref 2001-072-2)							
Cl I hereby certify that this correspond	ERTIFICATE OF MAILING/TRANSMISSION ndence is being						
deposited on the date shown b	pelow with the United States Postal Service as first class mail in an envelope addressed to: Box 1450, Alexandria, VA 22313-1450.						
	below via facsimile to the attention of:						
Examiner Cheyne D. Ly at facsing	nile number 703-872-9306.						
7/5/05 1 1/4 Hubl							
Date	Susan T. Hubl, Ph.D., Reg. No.: 47,668						

COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

## RESPONSE

SIR:

In Response to the non-final Office Action on 03/04/05, and the Examiner Interview of 06/14/05, Applicant respectfully requests reconsideration of the claims in the above-identified application in view of the following amendments and remarks for the purpose of putting the application in condition for allowance or, alternatively, to narrow the issues for appeal. Included with this Response is a Request for Extension of Time for 1 month(s) and the appropriate fee. This Response therefore is timely filed.

Applicant notes that the Attorney Docket No. for this case has changed. The correct *Attorney Docket No. is 23540-7445US*.

Amendments to the Claims begin on page 2. Remarks begin on page 5.

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